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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,648	02/24/2004	Timothy A. Rost	TI-36595	3709
23494	7590	01/23/2006	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED			PHAM, LONG	
P O BOX 655474, M/S 3999			ART UNIT	PAPER NUMBER
DALLAS, TX 75265			2814	

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Rejections and/or objections necessitated by the amendments

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The original disclosure does not teach that source and drain regions are formed within the substrate along a first crystallographic orientation axis.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 9 as currently amended, and 10-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ouyang et al. (US publication 2004/0256639) in combination with Lin et al. (US publication 2005/0035369), Yeo et al. (US publication 2005/009263), Chidambarrao et al. (US publication 2005/0164477), and Currie et al. (US publication 2004/0173812).

With respect to claims 9-18, Ouyang et al. in combination with Lin et al, Yeo et al., Chidambarao et al, and Currie et al. teach the invention as claimed.

With respect to currently amended claim 9, Ouyang et al. in combination with Lin et al, Yeo et al., Chidambarao et al, and Currie et al. teach forming the vertical MOS having the source, drain, channel formed above the substrate but fails to teach that the MOS is a lateral MOS or MOS having source, drain, and channel formed in the substrate.

It would have been obvious to one of ordinary skill in the art of making semiconductor devices to form the source, drain, and channel in the substrate to form a lateral MOS having high channel mobility. See [0015].

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Long Pham whose telephone number is 571-272-1714. The examiner can normally be reached on Mon-Frid, 10am to 5pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 571-272-1705. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Long Pham
Primary Examiner
Art Unit 2814

LP